

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS J. BONTEMPO and TERRY )  
MONTELEONE, and all others similarly )  
situated, )  
Plaintiffs, )  
vs ) Civil Action No. 06-745  
WOLPOFF & ABRAMSON, L.L.P., )  
Defendant. )

O R D E R

AND NOW, this 23<sup>rd</sup> day of Oct. , 2006, after the plaintiffs filed a

purported class action complaint in the above-captioned case, and after the defendant moved to dismiss the claim of plaintiff Terry Monteleone and to compel arbitration of Monteleone's claim, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the defendant, as well as the plaintiffs' response to those objections, and after independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the defendant's motion to dismiss the claim of plaintiff Terry Monteleone and to compel arbitration of the claim (Docket No. 4) is denied.

Barrett A. Anbarase  
United States District Judge

cc: All Counsel of Record

Honorable Robert C. Mitchell  
United States Magistrate Judge